

Atty. Dkt. No. 061300-0364

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Pillar et al.

Title:

REFUSE VEHICLE CONTROL

SYSTEM AND METHOD

Appl. No.:

10/668,002

Filing Date:

09/22/2003

Examiner:

Art Unit:

3652

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Carolyn Simpson

INFORMATION DISCLOSURE STATEMENT **UNDER 37 CFR §1.56**

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits, and within three (3) months of the mailing date of the foreign search report.

RELEVANCE OF EACH DOCUMENT

Some of the documents listed on the attached PTO/SB/08 were cited as being relevant during the prosecution of the corresponding International application. A copy of the International Search Report is attached setting forth the portion of each document considered relevant by the examiner.

From the abstracts, DE 40 41 483 relates to a tipping rig for large waste bins, incorporating hinge-mounted hooks to grip bin lid prior to emptying, EP 0 496 302 relates to a refuse vehicle with a lifting and dumping device for picking up and emptying refuse containers into a receiving chute of a collecting receptacle, and WO 96/32346 relates to a refuse-collection vehicle on which a replaceable container is detachably mounted by suitable means so that it can be moved out to the rear.

An English-language counterpart of the foreign-language documents has not been provided. The absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider any submitted document (37 CFR §1.98 and MPEP§609).

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to

Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Respectfully submitted,

Date _____ Jan 7, 2005

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MODIFIED PTO/SB/08 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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|-----------|--------------------|---------------|----------|----------------------------------|-------------------------|--|
| _ | INFORMATIO | ON DISCLO | SURE | Application Number | 10/668,002 9/22/2003 | |
| | STATEMENT | | | Filing Date First Named Inventor | Duane R. Pillar | |
| | Date Submitte | | | Group Art Unit | 3652 | |
| | (use as many s | heets as ne | cessary) | Examiner Name | To Be Determined | |
| Sheet | 1 | of | 2 | Attorney Docket Number | 061300-0364 | |

| Examiner Initials* Cite No.1 A1 A2 A3 A4 A5 A6 A7 A8 A9 A10 A11 A12 A13 A14 A15 A16 A17 | 2003/130765 2003/31543 2002/65594 2002/27346 2001/48215 6,580,953 6,553,290 6,501,368 6,433,442 | Kind Code² (if known) A1 A1 A1 A1 A1 B1 B1 B1 B1 | Name of Patentee or Applicant of Cited Document Pillar et al. Elbrink Squires et al. Breed et al. Breed et al. Wiebe et al. Pillar | Date of Publication of Cited Document MM-DD-YYYY 07-10-2003 02-13-2003 05-30-2002 03-07-2002 12-06-2001 06-17-2003 | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--|---|--|---|--|--|
| A1 A2 A3 A4 A5 A6 A7 A8 A9 A10 A11 A12 A13 A14 A15 A16 A16 A17 A16 A17 A17 A18 A18 A18 | 2003/130765 2003/31543 2002/65594 2002/27346 2001/48215 6,580,953 6,553,290 6,501,368 6,433,442 | Code ² (if known) A1 A1 A1 A1 A1 B1 B1 B1 | Pillar et al. Elbrink Squires et al. Breed et al. Breed et al. Wiebe et al. | 07-10-2003 02-13-2003 05-30-2002 03-07-2002 12-06-2001 | Figures Appear |
| A2 A3 A4 A5 A6 A7 A8 A9 A10 A11 A12 A13 A14 A15 | 2003/31543 2002/65594 2002/27346 2001/48215 6,580,953 6,553,290 6,501,368 6,433,442 | A1 A1 A1 A1 B1 B1 B1 | Elbrink Squires et al. Breed et al. Breed et al. Wiebe et al. | 02-13-2003 05-30-2002 03-07-2002 12-06-2001 | |
| A2 A3 A4 A5 A6 A7 A8 A9 A10 A11 A12 A13 A14 A15 | 2002/65594 2002/27346 2001/48215 6,580,953 6,553,290 6,501,368 6,433,442 | A1 A1 A1 B1 B1 B1 | Squires et al. Breed et al. Breed et al. Wiebe et al. | 05-30-2002 03-07-2002 12-06-2001 | |
| A3 A4 A5 A6 A7 A8 A9 A10 A11 A12 A13 A14 A15 A16 | 2002/65594 2002/27346 2001/48215 6,580,953 6,553,290 6,501,368 6,433,442 | A1 A1 B1 B1 B1 | Breed et al. Breed et al. Wiebe et al. | 03-07-2002 12-06-2001 | |
| A4 A5 A6 A7 A8 A9 A10 A11 A12 A12 A14 A15 A16 | 2002/27346 2001/48215 6,580,953 6,553,290 6,501,368 6,433,442 | A1 B1 B1 B1 | Breed et al. Wiebe et al. | 12-06-2001 | |
| A5 A6 A7 A8 A9 A10 A11 A12 A13 A14 A15 A16 | 2001/48215 6,580,953 6,553,290 6,501,368 6,433,442 | B1 B1 B1 | Wiebe et al. | | |
| A6 A7 A8 A9 A10 A11 A12 A13 A14 A15 A16 | 6,580,953 6,553,290 6,501,368 6,433,442 | B1 B1 | | 06-17-2003 | |
| A7 A8 A9 A10 A11 A12 A13 A14 A15 A16 | 6,553,290 6,501,368 6,433,442 | B1 | Pillar | | |
| A8 A9 A10 A11 A12 A13 A14 A15 A16 | 6,501,368 6,433,442 | | I mei | 04-22-2003 | |
| A9 A10 A11 A12 A13 A14 A15 A16 | 6,433,442 | | Wiebe et al. | 12-31-2002 | |
| A10 A11 A12 A13 A14 A15 A16 | | B1 | Mäckel et al. | 08-13-2002 | |
| A11 A12 A13 A14 A15 A16 | | B1 | Goldman et al. | 08-06-2002 | |
| A12 A13 A14 A15 A16 | | B1 | Kempen et al. | 07-16-2002 | |
| A13 A14 A15 A16 | | B1 | Duell et al. | 12-25-2001 | |
| A14 A15 A16 | | | Anderson et al. | 11-28-2000 | |
| A15 | | | Duell et al. | 09-26-2000 | |
| A16 | | | Weiss | 03-14-2000 | |
| | | | Sugano et al. | 01-04-2000 | |
| | | | Wong et al. | 09-28-1999 | |
| A18 | | | Duell et al. | 09-21-1999 | |
| A19 | | T | Smith et al. | 04-06-1999 | |
| A20 | | | Brandt | 12-22-1998 | |
| A2 | | | Smith et al. | 02-11-1997 | |
| A2 | | | Rado et al. | 04-16-1996 | |
| A2: | | | Smith et al. | 11-28-1995 | |
| A2 | | | Carson | 06-29-1993 | |
| A2 | | | Schulte-Hinsken et al. | 06-01-1993 | |
| A2 | | | Carson | 12-10-1991 | |
| A2 | | | Windle et al. | 02-38-1989 | |
| A2 | | | Leisse | 06-12-1984 | |

| - | | | | FC | OREIGN PATENT DOCUMEN | TS | | |
|--------------------|--------------|----------|-----------------|----|---|--|--|--------------|
| Examiner Initials* | Cite No.1 | F Office | oreign Patent D | | Name of Patentee or Applicant of Cited Documents | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | Т6 |
| | A29 | DE | 40 41 483 | A1 | Gajewski et al. | 06-25-1992 | | |
| | A30 | EP | 0 894 739 | A1 | Loughman et al. | 02-03-1999 | | |
| | A30 | EP. | 0 791 506 | A2 | Kasa et al. | 08-27-1997 | | |
| | A32 | EP | 0 630 831 | A1 | Winwood | 12-28-1994 | | |
| | A33 | EP | 0 564 943 | B1 | Hirano et al. | 10-13-1993 | | |
| | A34 | EP | 0 496 302 | B1 | Edelhoff | 07-29-1992 | | |
| | A35 | wo | 2004/05275 | | Pillar et al. | 06-24-2004 | | |

| Examiner Signature | Date Considered | |
|-----------------------|--------------------|--|

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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¹ Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁶Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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Approved for use through 10/31/2002. OMB 0651-0031

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number. Complete if Known Substitute for form 1449B/PTO 10/668,002 **Application Number** INFORMATION DISCLOSURE 9/22/2003 **Filing Date** STATEMENT BY APPLICANT **First Named Inventor** Duane R. Pillar Date Submitted: January 7, 2005 **Group Art Unit** 3652 To Be Determined **Examiner Name** (use as many sheets as necessary) Attorney Docket Number 061300-0364 2 of 2 Sheet

| | | | | F | OREIGN PATENT DOCUMEN | TS | | |
|-----------------------|--------------|---------------------------|--------------------------|-------------------|---|--|--|---|
| Examiner Initials* | Cite No.1 | Fo Office ⁵ | oreign Patent D Number4 | | Name of Patentee or Applicant of Cited Documents | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T |
| | A36 | wo | 96/40573 | \(\(\frac{1}{2}\) | Horning et al. | 12-19-1996 | | |
| | A37 | wo | 96/32346 | | Wendelspiess | 10-17-1996 | | |

| | | NON PATENT LITERATURE DOCUMENTS | |
|-----------------------|--------------|--|---|
| Examiner Initials* | Cite No.1 | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. | Т |
| | A38 | International Search Report and Written Opinion of the International Searching Authority for International Application No. PCT/US2004/031253, mailed December 21, 2004, (20 pages). | |

| Examiner | Date | |
|-----------|------------|--|
| Signature | Considered | |

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¹ Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.